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United States Attorney
Eastern District of New York

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Chambers of
I. Leo Glasser
U.S.D.J.

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F.#1998R01996

271 Cadman Plaza East
Brooklyn, New York 11201

November 23, 2011

By Hand

Submitted Under Seal

The Honorable I. Leo Glasser
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. John Doe
Criminal Docket No. 98-1101 (ILG)

Dear Judge Glasser:

The government writes to respectfully request an adjournment of the status conference scheduled for November 30, 2011 in the above-captioned case. The government has conferred with counsel for the defendant John Doe, who advises that he does not oppose this request.

As the Court is aware, on August 24, 2011, the government moved to withdraw its March 17, 2011 unsealing motion in light of the status of the government's investigation, and Doe's participation therein, both of which have been discussed in multiple prior filings. By order dated August 24, 2011, the Court granted the motion to withdraw without prejudice and with leave to re-file at a later date.

On August 26, 2011, the government submitted a letter to the Second Circuit reporting on the status of the "various pending proceedings" before this Court, as it had been directed to do. The government reported that further proceedings were not yet ripe in light of the pendency of Richard Roe's petition for rehearing and rehearing en banc and the fact that the mandate had not yet issued. While Roe's petition was subsequently denied, John Doe II's re-filed petition remains pending, and the mandate still has not issued. Accordingly, the government respectfully requests that the Court continue to adjourn further proceedings. The government previously made the same request on September 29, 2011, and the Court granted the request. Given that Doe II's

